

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 13, 2006

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BY FACSIMILE

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

The extension is granted.
So ordered.

USDJ. 7/17/06

Re: United States v. William Henriquez
S3 05 Cr. 185 (AKH)

Dear Judge Hellerstein:

The Government respectfully writes to request an extension of time to respond to the defendant's pending motion regarding the admissibility at trial of the statements made by the defendant in a proffer session with the Government on or about September 24, 2003.

As the Court is aware, in the pending motion, Henriquez discusses (both in a sworn affidavit and in a memorandum of law) attorney-client communications between himself and his former attorney, Valerie Amsterdam. Ms. Amsterdam initially represented Henriquez in connection with an illegal reentry prosecution in this District, United States v. William Henriquez, 03 Cr. 788 (BSJ), and she represented Henriquez in the proffer session on September 24, 2003.

Ms. Amsterdam, herself the subject of a criminal prosecution in the United States District Court in the Eastern District of New York, was sentenced on or about June 30, 2006 to, inter alia, 6 months' imprisonment. Ms. Amsterdam is currently on bail pending her surrender later this year. Given that her own federal prosecution has now concluded, Ms. Amsterdam's counsel authorized me this week to speak with her about her representation of Henriquez in connection with the proffer session on September 24, 2003.

I spoke with Ms. Amsterdam today, and her recollection about her meetings with Henriquez is different from Henriquez's recollection. With this new information, the Government intends to oppose Henriquez's motion. However, because Ms. Amsterdam only became available to the Government today, the Government respectfully requests an additional week—to July 21, 2006—to complete its response to the defense motion. This schedule should

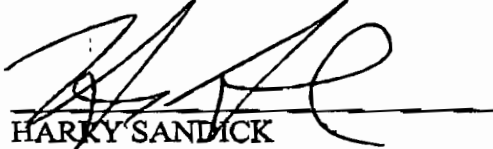
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still give the Court adequate time to consider the issue before the next conference on August 8, 2006. Counsel for Henriquez consents to the Government's request for an extension of time.

Respectfully submitted,

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